

# United States District Court

## CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

V.

EUGENE GUTIERREZ

REG#: 10891-073

CRIMINAL COMPLAINT

CASE NUMBER: 2:22-mj-02036-DUTY



I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

On or about May 8, 2022, in Los Angeles County, in the Central District of California, defendant Eugene Gutierrez ("GUTIERREZ") did escape from the custody of the United States Attorney General, in violation of Title 18 United States Code, Section 751. I further state that I am a Deputy U.S. Marshal, and that this complaint is based on the following facts:

On May 9, 2022, the United States Marshals Service received information from Juan F. Herrera, Chief Executive Officer of El Monte Residential Reentry Center ("RRC"), stating that GUTIERREZ had escaped from the RCC located at 11750 Ramona Blvd. El Monte, CA 91732. GUTIERREZ is described as a black male, approximately 5 feet, 7 inches tall, weighing approximately 170 pounds, with black hair and brown eyes. GUTIERREZ is 50 years old and a United States citizen.

The institution and court records I reviewed indicate that on January 30, 2003, in the United States District Court for the Northern District of Ohio, Case Number 1:02-CR-0080, GUTIERREZ was sentenced to a term of 276 months' imprisonment with 5 years of supervised release for convictions of 18 U.S.C. § 371 (conspiracy to defraud the United States), 18 U.S.C. § 2113(a)(d) (armed bank robbery), and 18 U.S.C. § 922(g)(1) (felon in possession). On May 8, 2022, at approximately 10:00 p.m., GUTIERREZ returned to the RRC from work and was instructed to provide a breathalyzer test. He tested positive for alcohol with a reading of 0.16. At 10:21 p.m. a second test was administered, and the result was the same. GUTIERREZ was instructed to sit in the lobby and advised that he would need to submit a urine sample. At 10:57 p.m., GUTIERREZ walked out of the El Monte RRC without staff authorization. At approximately 10:57 p.m., GUTIERREZ was placed on escape status. GUTIERREZ's whereabouts are currently unknown.

Continued on the attached sheet and made a part hereof: ☐ Yes ☒ No

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone

May 23, 2022

Date

Hon. Maria A. Audero

United States Magistrate Judge

AUSA Lynda Lao (x7167)

/s/ Matthew Starr

Signature of Complaint

Matthew Starr

Deputy U.S. Marshal

at Los Angeles, California

City and State

Signature of Judicial Officer